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IN THE UNITED STATES DISTRICT COURT

STATE OF UTAH, CENTRAL DIVISION

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THE SCO GROUP, INC., a Delaware corporation,	:	G2 COMPUTER INTELLIGENCE
	:	INC.'S RESPONSE TO IBM'S EX
	:	PARTE MOTION FOR EXTENSION
Plaintiff,	:	OF TIME TO FILE MEMORANDUM
vs.	:	IN RESPONSE TO G2 COMPUTER
INTERNATIONAL BUSINESS MACHINES CORPORATION, a New York corporation,	:	INTELLIGENCE, INC.'S MOTION TO
	:	INTERVENE AND MOTION TO
	:	UNSEAL THE COURT'S FILE
Defendant.	:	
	:	
	:	Civil No. 03CV0294
	:	
	:	Judge Dale A. Kimball
	:	Magistrate Judge Brooke C. Wells

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G2 Computer Intelligence, Inc. ("G2") submits the following memorandum in response to IBM's Ex Parte Motion For Extension Of Time. G2 objects to a further extension beyond that which G2 agreed to, until January 7, 2005.

Further extension is unreasonable. IBM's desire to await response until it files its latest papers is of no avail. G2's motion contemplates ongoing responsibilities of the parties in this matter to justify the sealing of any document filed with the Court. It is no less efficient to justify filings sealed to date now,

rather than wait for those to be filed next month. This responsibility is not onerous; the protective order in this case obligates counsel to have a "good faith" basis for designating materials confidential in the first instance. And IBM certainly has the legal resources to have responded to G2's motion in a timely manner, much less an entire month late.

While counsel for G2 believes in accommodating reasonable requests for extension, it has done so in this instance; counsel consented to a nearly three week delay. There are no real efficiencies in waiting, but real damage comes with delay. G2 is entitled to have its motion heard promptly, without being tied to IBM's briefing on its motion for summary judgment. Moreover, the public is entitled to review non-proprietary matters that are filed under seal in this action promptly. Accordingly, G2 respectfully requests that the Court deny the ex parte application for extension beyond January 7, 2005 and require delivery of IBM's response on G2 by close of business on that day.

Dated this 21<sup>st</sup> day of December, 2004.

JONES WALDO HOLBROOK & McDONOUGH PC

By:   
Michael P. O'Brien  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 21<sup>st</sup> day of December, 2004, I caused a true and correct copy of the foregoing to be mailed, postage prepaid, to the following:

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